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JUL 08 2004

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Mason is a "Paperless" Business Environment. Firm Fax: 727-538-3820. In order to serve you more efficiently, we request that you e-mail your communication to one of the addresses listed below:

TO: Examiner Matthew J. Kohner  
Art Unit: 3653

DATE: July 8, 2004

FAX #: 703.872.9306

TOTAL # OF PAGES: ~~18~~ 11

FROM: Luann McCormick

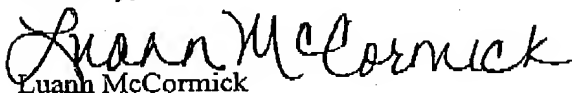
YOUR REF:  
OUR FILE: 859.38SUBJECT: U.S. Patent Application Serial No.: 10/026,223  
Title: METHOD OF REDUCING PHOSPHATE ORE LOSSES IN A  
DESLIMING PROCESS

XXX	Confirmation copy not sent
_____	Confirmation copy sent
_____	Per your request
_____	For your review

DOCUMENT(S) ATTACHED: 1. Supplemental Response to Ex Parte Quayle Office Action Transmittal  
2. Supplemental Response to Ex Parte Quayle Office Action

COMMENTS: Please see the above-referenced documents from Dennis G. LaPointe, Esq.

Sincerely,

  
Luann McCormick  
Paralegal  
Mason Law, P.L.

859C38.FCV\_Examiner.07082004.doc

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PATENT

Docket No.: 859.38

Customer No.: 24040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francisco J. Sotillo

S.N.: 10/026,223

Filed: December 16, 2001

Confirmation No: 4358

For: METHOD OF REDUCING PHOSPHATE  
ORE LOSSES IN A DESLIMING  
PROCESS

Examiner: Matthew J. Kohner

Art Unit: 3653

SUPPLEMENTAL RESPONSE TO EX PARTE QUAYLE OFFICE ACTION TRANSMITTAL

1. Transmitted herewith is Response to Ex Parte Quayle office action, a non-final rejection (1935 C.D. 11, 453 O.G. 213) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

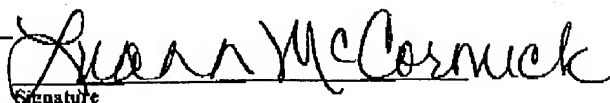
I hereby certify that, on the date shown below, this correspondence is being:

MAILING

\_\_\_\_\_ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231  
37 C.F.R. § 1.8(a)  
\_\_\_\_\_ with sufficient postage as first class mail. \_\_\_\_\_ as "Express Mail Post Office to Addressee"  
Express Mail Label No.: \_\_\_\_\_

TRANSMISSION

XXX facsimile transmitted to the Patent and Trademark Office, 703.872.9306

  
Signature

Date: July 8, 2004

Luann McCormick

(type or print name of person certifying)

\* Only the date of filing (\* 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under \* 1.8 continues to be taken into account in determining timeliness. See \* 1.703(f). Consider "Express Mail Post Office to Addressee" (\* 1.10) or facsimile transmission (\* 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment or Response After Final Rejection—page 1 of 2

## STATUS

2. Applicant is a small entity.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) Claims Remaining After Amendment		(Col. 2) Highest No. Previously Paid For	(Col. 3) Present Extra	OTHER THAN A SMALL ENTITY Rate	Addit Fee
Total	36	Minus	36	= 0	9.00	-0-
Indep	8	Minus	8	= 0	43.00	-0-
First Presentation of Multiple Dependent Claim					140.00	-0-
Total					0.00	

## FEE DEFICIENCY

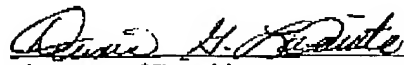
- 5.

Please charge any fees associated with this paper to Deposit Account No.: 13-1992.

Please charge any credits to Deposit Account No.: 13-1992.

Date: 7/8/04

Reg. No.: 40693  
Tel. No.: 727.538.3800  
Customer No.: 24040

  
Signature of Practitioner  
Dennis G. LaPointe  
Mason Law, P.A.  
17757 U.S. Hwy 19 N.  
Suite 500  
Clearwater, FL 33764

859c38.Amendment Transmittal.07082004.doc

Amendment or Response After Final Rejection —page 2 of 2

JUL 08 2004

OFFICIAL

ATTORNEY DOCKET NO.: 859.38  
CUSTOMER NO.: 24040PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francisco J. Sotillo

S.N.: 10/026,223

Filed: December 19, 2001

Confirmation No: 4358

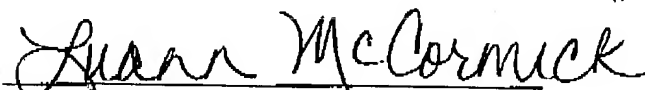
For: METHOD OF REDUCING PHOSPHATE  
ORE LOSSES IN A DESLIMING  
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Examiner: Matthew J. Kohner

Art Unit: 3653

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 C.F.R. 1.8)

I hereby certify that this **SUPPLEMENTAL RESPONSE AFTER NON-FINAL OFFICE ACTION** is being facsimile transmitted to the Patent and Trademark Office (FAX No. 703-872-9306) on July 8, 2004.



Luann McCormick, Paralegal

**SUPPLEMENTAL RESPONSE TO  
EX PARTE QUAYLE OFFICE ACTION**

M/S: Box Amendment (NON-FEE)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's telephone request of July 7, 2004, Applicant herein re-submits the exact drawings submitted in Applicant's communication of April 1, 2004, except that each drawing includes the heading "Replacement Sheet" in the top margin:

**AMENDMENT C**  
(37 C.F.R. 1.111)

**IN THE DRAWINGS:**

Please substitute the enclosed corrected Fig. 1 for the same drawing filed with the original application. The designation -- PRIOR ART -- has been added as requested by the Examiner.

Please substitute the enclosed corrected Fig. 2 for the same drawing filed with the original application. The designation -- PRIOR ART -- has been added as requested by the Examiner.

Please add new Fig. 4 as requested by the Examiner.

Replacement sheets are herein attached for Figs. 1-4.

## **DRAWING AMENDMENT**